

AMENDMENTS TO THE CLAIMS

This listing of claims replaces all prior versions, and listings, of claims in the application:

1-9. (canceled)

10. (currently amended) A bird deterrent for mounting on a surface, comprising:

an elongated rail of plastic;

a plurality of pairs of ~~laterally extending~~ prongs extending laterally from opposite sides of the rail such that successive prongs on each side of the rail alternate between a higher position and a lower position; and

a plurality of upwardly extending intermediate prongs disposed among between the pairs of laterally extending prongs; and

wherein the rail, the pairs of laterally extending prongs and the intermediate prongs are all injection molded as a single continuous piece.

11. (currently amended) The bird deterrent of claim 10, wherein each of the pairs has one prong that extends from the rail at a higher angle and one prong that extends from the rail at a lower angle. ~~first and second members of each of the plurality of pairs of laterally extending prongs extend at higher and lower angles, respectively, relative to the rail.~~

12. (previously presented)The bird deterrent of claim 11, wherein each of the higher and lower angles differ from an angle defined by the intermediate prongs relative to the rail.

13. (previously presented)The bird deterrent of claim 10, wherein some of the laterally extending prongs extend laterally at about 30 degrees relative to the rail.

14. (previously presented)The bird deterrent of claim 10, wherein some of the laterally extending prongs extend laterally from the rail at about 70 degrees relative to the underlying surface.

15. (previously presented)The bird deterrent of claim 11, wherein the higher and lower angles of the laterally extending prongs differ by about 40 degrees.

16. (original) The bird deterrent of claim 10, further comprising a plurality of spaced flanges extending horizontally from the rail.

17. (currently amended) The bird deterrent of claim 10, further comprising a plurality of spaced flanges extending from the rail, each flange continuous with one of the plurality of laterally extending prongs.

18. (previously presented)The bird deterrent of claim 10, wherein first and second members of each of the plurality of pairs of laterally extending prongs extend indirectly from the rail, via laterally projecting arms.

19. (canceled)

20. (previously presented)The bird deterrent of claim 10, wherein first and second members of each of the plurality of pairs of laterally extending prongs include at least some portion having a round cross-sectional area.

21. (previously presented)The bird deterrent of claim 10, wherein first and second members of each of the plurality of pairs of laterally extending prongs include at least some portion having a cross-shaped cross-section.

22. (previously presented)The bird deterrent of claim 10, wherein each of the laterally extending prongs terminates in a sharp tip.

23. (original) The bird deterrent of claim 10, wherein the rail has a flat bottom surface.

24. (previously presented)The bird deterrent of claim 10, wherein the rail has a flat bottom surface and a longitudinal trough.

25. (previously presented)The bird deterrent of claim 10, further comprising a ridge along the rail.

26. (previously presented)The bird deterrent of claim 10, wherein each of the upwardly extending intermediate prongs includes ~~include~~ a first portion having a round cross-sectional area and a second portion having a round cross-sectional area. from the rail.

27. (previously presented)The bird deterrent of claim 10, wherein the laterally and upwardly extending prongs appear as five fanned projections from an end view of the deterrent.

28. (currently amended) The bird deterrent of claim 10, wherein the intermediate upwardly extending prongs extend normally from the rail.

29. (currently amended) The bird deterrent of claim 10, wherein the intermediate upwardly prongs extend normally from a ridge running along an upper surface of the rail.

30. (original) The bird deterrent of claim 10, wherein the rail includes a plurality of spaced cutting notches.

31. (currently amended) A bird deterrent comprising:

a single injection molded piece having an elongated base; and

pluralities of laterally and upwardly extending prongs that collectively project from a rail in five different directions from the base, wherein the laterally extending prongs on each side of the rail alternate between lower and higher angles relative to the base.

32. (previously presented) The bird deterrent of claim 31, wherein the plurality of laterally extending prongs are arranged in pairs, with each pair having a first prong extending from a first side of the base at a lower angle, and a second prong extending from an opposite side of the base at a higher angle.

33. (previously presented) The bird deterrent of claim 31, wherein the prongs extending laterally from a first side of the base extend alternately at a lower angle and a higher angle.

34. (previously presented) The bird deterrent of claim 31, wherein each of the plurality of prongs further comprises a portion having a round cross-section.

35. (previously presented) A bird deterrent for mounting on a surface, comprising: an elongated rail and a plurality of laterally extending prongs which is injection molded as a single continuous piece, said laterally extending prongs alternating at various angles of no more than 70 degrees relative to the underlying surface.